

Dated: August 13, 1996.
 William K. Hubbard,
*Associate Commissioner for Policy
 Coordination.*
 [FR Doc. 96-21229 Filed 8-20-96; 8:45 am]
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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD13-96-002]

RIN 2115-AE47

Drawbridge Operation Regulations; Ebey Slough, Marysville WA

AGENCY: Coast Guard, DOT.
ACTION: Temporary final rule.

SUMMARY: The Coast Guard is temporarily amending the regulations governing the operation of the twin State Route 529 drawbridges across Ebey Slough, mile 1.6, at Marysville, Washington. The temporary regulations will permit the swingspan to remain closed for several months so that the mechanical and electrical systems of the bridge can be overhauled. The closed period is February 1, 1997 to June 1, 1997.

EFFECTIVE DATES: This rule is effective from February 1, 1997, to June 1, 1997.

ADDRESSES: Unless otherwise noted, documents referred to in this preamble are available for inspection and copying at 915 Second Avenue, Room 3410, Seattle, Washington. Normal office hours are between 7:45 a.m. and 4:15 p.m., Monday through Friday, except federal holidays.

FOR FURTHER INFORMATION CONTACT: John E. Mikesell, Chief, Plans and Programs Section, Aids to Navigation and Waterways Management Branch, (Telephone: (206) 220-7270).

SUPPLEMENTARY INFORMATION:

Regulatory History

On February 21, 1996, the Coast Guard published a notice of proposed rulemaking entitled Drawbridge Operation Regulations; Ebey Slough, Marysville, WA, in the Federal Register (61 FR 6589). No comments were received in response to this notice.

Background and Purpose

At the request of the Washington State Department of Transportation, the Coast Guard is temporarily amending the regulations governing the operation of the State Route 529 drawbridge across Ebey Slough, Washington. Currently,

this bridge is required to open for the passage of vessels if one hour notice is provided. The temporary regulations will permit the drawspan to remain closed for several months so that the mechanical and electrical systems of the bridge can be overhauled. The existing drawbridge operation regulations currently in effect will automatically be restored as soon as the temporary regulations expire on June 1, 1997.

Discussion of Comments and Changes

The Coast Guard did not receive any comments to the notice of proposed rulemaking and the rule is being adopted as proposed.

Regulatory Evaluation

This temporary rule is not a significant regulatory action under 3(f) of Executive Order 12866 and does not require an assessment of potential cost and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this rule to be so minimal that a full regulatory evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This expectation is based on the fact that there is very little commercial use of the waterway and the fact that the upper reaches of Ebey Slough beyond the State Route 529 drawbridge can be reached by an alternate route using Steamboat Slough.

Small Entities

For the reasons stated in Regulatory Evaluation above, the Coast Guard finds that the impact on small entities, if any, is not substantial. Therefore, the Coast Guard certifies under 5 U.S.C. 605 (b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this action will not have a significant impact on a substantial number of small entities. The impact on small entities is expected to be minimal because of the minimal use of the waterway and the alternate route through Steamboat Slough.

Collection of Information

This action contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that

the action does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard has considered the environmental impact of this action and concluded that, under section 2.B.2. of Commandant Instruction M16475.B, this proposal is categorically excluded from further environmental documentation. A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

For the reasons set out in the preamble, the Coast Guard amends part 117 of title 33, Code of Federal Regulations, as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05-1(g); section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. Effective February 1, 1997, to June 1, 1997, paragraph (h) of § 117.1059 is temporarily suspended and a new paragraph (j) is added to read as follows:

§ 117.1059 Snohomish River, Steamboat Slough, and Ebey Slough.

* * * * *

(j) The draws of the SR 529 highway bridge across Ebey Slough, mile 1.6, at Marysville, need not open for the passage of vessels from February 1, 1997, until June 1, 1997.

Dated: June 26, 1996.

J. David Spade,
*Rear Admiral, U.S. Coast Guard Commander,
 13th Coast Guard District.*

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33 CFR Part 117

[CGD13-96-001]

RIN 2115-AE47

Drawbridge Operation Regulations; Snohomish River, Everett, WA

AGENCY: Coast Guard, DOT.
ACTION: Temporary final rule.

SUMMARY: The Coast Guard is temporarily amending the regulations governing the operation of the twin State Route 529 drawbridges across the